

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Richard Bruce BRANDON et al.

Appl. No.: 10/712,266

Examiner: Unassigned

Filing Date: November 14, 2003

Art Unit: Unassigned

Title: STATUS DETERMINATION



**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

RELEVANCE

The foregoing documents came to the Applicants attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

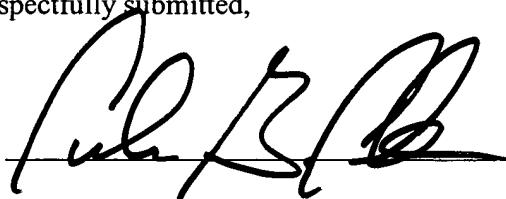
TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(b) prior to the mailing date of the first official action, therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

By



Colin G. Sandercock
Attorney for Applicants
Registration No. 31,298
Customer No. 26633

Date: 3.15.04
HELLER EHRMAN WHITE &
MCAULIFFE
1666 K Street, N.W., Suite 300
Washington, DC 20006
Telephone: (202) 912-2142
Facsimile: (202) 912-2020

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/712,266
Filing Date	November 14, 2003
First Named Inventor	Richard Bruce BRANDON et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	40383-0006

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)					
	A03	WO	01/16859	A2	3/8/2001	Realltimehealth.com, Inc.	
	A04	WO	01/20533	A2	3/22/2001	Luminex Corp.	
	A05	WO	01/25473	A1	4/12/2001	Source Precision Medicine, Inc.	
	A06	WO	01/28415	A1	4/26/2001	Jean W. DODDS	
	A07	WO	01/088188	A3	11/22/2001	Nihon Univ., School Juridical Person	
	A08	WO	02/33520	A2	4/25/2002	Genomic Health, Inc.	
	A09	WO	02/090579	A1	11/14/2002	Genomics Research Partners Pty Ltd.	

Examiner Signature _____ Date Considered _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

